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 dba UKIAH AUTO DISMANTLERS and WAYNE HUNT

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

PINOLEVILLE POMO NATION,	)	Case No. C 07-02648 EMC
PINOLEVILLE POMO NATION	)	
ENVIRONMENTAL ASSOCIATION and	)	
LEONA WILLIAMS,	)	DECLARATION OF DONALD
	)	McEDWARDS IN OPPOSITION TO
Plaintiffs,	)	PRELIMINARY INJUNCTION
	)	
v.	)	
	)	
UKIAH AUTO DISMANTLERS, WAYNE	)	
HUNT, ISABEL LEWRIGHT, WARRIOR	)	
INDUSTRIES, INC., RICHARD	)	
MAYFIELD, ROSS JUNIOR MAYFIELD,	)	
PAULA MAYFIELD, KENNETH HUNT,	)	
U.S. ALCHEMY CORPORATION and	)	
DOES 1-50, Inclusive,	)	
	)	
Defendants.	)	

I, DONALD McEDWARDS, declare as follows:

1. I, Donald McEdwards am the President of the McEdwards Group. I make this declaration of my own personal knowledge except as to those matters stated upon information and belief and as to those matters I believe them to be true. If called upon to testify to the matters stated herein, I could and would competently do so.

**Qualifications**

2. I have a B.S. Degree in Geology from California State University Northridge; a Master of Science, Engineering Science from the University of California, Berkeley, and a Ph.D. in Engineering Science from the University of California, Berkeley.

3. I hold the following licenses, all of which are current: Registered Geologist; Certified Hydrogeologist; Certified Engineering Geologist; Registered Civil Engineer; and a Class A General Engineering License. I also hold certifications in hazardous materials and asbestos abatement.

4. Since 1995 I have served as Principal Hydrogeologist for the McEdwards Group and I have actively participated in the investigation and remediation of various sites in Northern California since 1977 including sites where automobiles were processed. A true and correct copy of my resume is attached as Exhibit 1 and incorporated herein by this reference.

5. I have been retained by Ukiah Auto Dismantlers to supervise soil and water investigations conducted in compliance with the Cleanup and Abatement Order ("CAO") issued by the North Coast Regional Water Quality Control Board.

**Plaintiffs' Major Sampling Test Interpretation Error**

6. I have reviewed the declaration of George O. Provencher filed by plaintiffs herein. Beginning at page 4, line 8 of that declaration and continuing throughout the declaration, Mr. Provencher equates the terms "PQL" found on the Alpha Analytical Laboratories Reports as being "pollution quality limits." I am familiar with lab reports generated by Alpha Analytical Laboratories and know that the term "PQL" stands for "Practical Quantitation Limits," not "Pollution Quality Limits." The term "PQL" is defined as "Practical Quantitation Limit" on each and every Alpha Analytical Laboratories report.

8. On June 6, 2008, I inspected the property owned by Ukiah Auto Dismantlers at 500 Pinoleville Road, Ukiah, California, Specifically, Mendocino County Assessor's Parcel Nos. 169-190-10 and 169-190-48 (the "UAD Property" or "UAD Site"). The representation of the property lines is depicted in an aerial photograph downloaded from Google Earth to represent typography and general site boundaries, attached hereto as Exhibit "2" and incorporated herein by this reference. North faces to the top of the page.

10. While upon the UAD Site, I documented various current site conditions through photographs. All photographs identified herein truly depict the conditions as represented herein. A key to the site photographs overlaid upon the aerial photograph of the respective properties is attached hereto as Exhibit "4." This key illustrates the location of each photograph identified herein.

DECLARATION OF  
DONALD McEDWARDS

13. I have inspected the property and the flow of surface water throughout the vicinity. The flow of surface water is depicted in Exhibit 3. The arrows on Exhibit 3 illustrate the flow of surface water. The surface water flow on the UAD Property is directed toward the collection ponds depicted in Exhibits 5-7 respectively and depicted in Exhibit 3 by a circle near the top of the photograph. The collection ponds are designed to prevent the outflow of surface water from the UAD Property.

15. The stormwater runoff sampled by Joaquin Wright on January 8, 2008 would have been in part derived from stormwater draining from the parcels depicted as Parcels 47, 50, and 49 on Exhibit 2, none of which parcels are owned by defendant Ukiah Auto Dismantlers. In addition, runoff from parcels south of Pinoleville Road, which appear to support industrial and commercial uses, is also directed onto the PPN Property, flowing onto the Mayfield Property and exiting the Mayfield Property at the exit point depicted in Exhibit 3 and sampled by Joaquin Wright, Plaintiff's consulting engineer.

1           16. Exhibit 11 depicts the culvert under Pinoleville Road where surface water  
2 from industrial and commercial properties owned by parties unrelated to this litigation  
3 drains onto the eastern portion of Parcel 50 owned by PPN and which eventually is  
4 transmitted to the point where Plaintiff's experts sampled on January 8, 2008.

5           17. Exhibits 12 and 13 depict the entrance to the culvert directing surface water  
6 onto the eastern portion of Parcel 50.  
7

8           18. Exhibit 14 depicts the ditch on the south side of Pinoleville Road that routes  
9 surface water to the culvert shown in Exhibits 12 and 13.

10           19. Exhibit 15 depicts the entrance to a culvert that drains surface water from the  
11 western portion of Parcel 50 to the eastern portion of Parcel 50.

12           20. Exhibit 16 depicts the exit of the culvert depicted in Exhibit 15.

13           21. Surface water collected in the eastern portion of Parcel 50 drains to a ditch on  
14 the east side of the Mayfield Property, and exits the Mayfield Property at the point sampled  
15 by Plaintiffs' expert, Joaquin Wright, on January 8, 2008.

16           22. Exhibits 17 and 18 depict the earthen berm located between Parcel 47 and the  
17 eastern portion of Parcel 50.  
18

19           23. Exhibit 19 illustrates the place sampled by Plaintiff's expert, Joaquin Wright  
20 on January 8, 2008 with the sampling occurring to the immediate left of the photograph.  
21 The right portion of the photograph depicts the Mayfield Property.

22           24. The photograph attached to Plaintiffs' Application for Preliminary Injunction  
23 as Exhibit 4, p. 8, a true copy of which is attached hereto as Exhibit 20, illustrates the  
24 relative stormwater contributions. The stormwater depicted in the ditch to the left of the  
25 picture depicts stormwater which originates almost entirely from the Plaintiffs' property  
26 and the property owned by non-parties to the south of Pinoleville Road. (See Ex. 3, *supra*).  
27 The discharge from the two pipes to the right of the picture represent the contribution  
28 from the Mayfield Property.

Executed this 11 day of June, 2008 at Willits, California.

Donald G. McEdward  
DONALD McEDWARDS

**THE McEDWARDS GROUP**

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**EXHIBIT 1**

**RESUME**

**DONALD G. McEDWARDS**  
Principal Hydrogeologist

**EXPERIENCE SUMMARY**

Dr. McEdwards has extensive experience in groundwater supply and groundwater quality investigations including site characterizations, water supply well siting, monitoring well design and installation, aquifer characterization, groundwater flow and contaminant transport modeling, and design and permitting of site remediation programs. He has managed projects involving assessing the extent of contamination; remediating soil and groundwater contamination by excavation, soil vacuum extraction, air sparging, oxygen infusion, bioremediation; verification monitoring; and site closure. He also has experience in surface water hydrology investigations, design of drainage facilities, mitigation of debris flow damage, and cost allocation of multi-source contaminant plumes. He has provided expertise in support of attorneys involved in litigating soil and groundwater contamination issues.

**EDUCATION**

University of California, Berkeley  
Ph.D., Engineering Science, 1979  
M.S., Engineering Science, 1973

California State University, Northridge  
B.S., Geology, 1972

**REGISTRATION  
& LICENSES**  
(California)

Registered Geologist No. 3872  
Certified Engineering Geologist No. 1208  
Registered Civil Engineer No. 28088  
Certified Hydrogeologist No. 153  
Class A General Engineering Contractor (#743428)  
Hazardous Materials Certification  
Asbestos Abatement Certification

**HAZARDOUS WASTE TRAINING**

Forty-hour course following EPA requirements. Included training in physical, chemical, and toxicological properties of hazardous materials; hazard evaluation and control; selection and use of personal protective equipment, including self-contained breathing apparatus and fully encapsulating suits; sampling and monitoring techniques and equipment; and site entrance and decontamination procedures.

**EXPERIENCE**

1995 - Present

The McEdwards Group, Willits, CA  
Principal Hydrogeologist

1988 - 1995

Trans Tech Consultants, Santa Rosa, CA  
Principal Hydrogeologist



## Donald G. McEdwards - Resume

**Exhibit 1**

1985 - 1987	Geohydrologic Services, Petaluma, CA Principal Engineer/Geologist
1984 - 1985	TERA Corporation, Berkeley, CA Senior Project Hydrogeologist
1979 - 1984	Harding Lawson & Associates, Novato, CA Associate Engineer
1977 - 1979	Lawrence Berkeley Laboratory, Earth Sciences Division Berkeley, CA Staff Scientist II
1975 - 1977	Lee and Praszker, San Francisco, CA Senior Engineering Aide, University of California and Staff Engineer

**REPRESENTATIVE PROJECTS**2260 ORDINANCE ROAD - Santa Rosa, CA

Installed six monitoring well to define the extent of gasoline and diesel contamination. Conducted well tests using the wells and found the shallow aquifer to be moderately permeable and amenable to biodegradation. Using the well test data and proprietary computer programs, the flow rates, groundwater flow lines, and capture areas were calculated for an in-situ bioremediation program. Developed a remediation plan to extract clean water from perimeter wells, amend the water with nutrients and oxygen to promote bacterial growth, and inject the water into the tank excavation where the fuel leak occurred. The system was operated for a period of seven months, during which time the concentration of contaminants decreased from free floating product to laboratory reporting limits.

5580 ST. HELENA ROAD - Santa Rosa, Ca

Directed excavation of a septic tank contaminated with diesel fuel (delivery of diesel was made directly into the septic tank). Directed bioremediation of the tank contents to allow disposal as conventional septage. Managed investigation to determine extent of diesel contamination. Prepared and implemented an insitu bioremediation plan involving circulating amended water through the zone of contamination in a closed loop between injection and extraction trenches.

128 KENTUCKY STREET - Petaluma, CA

Managed excavation of diesel contaminated soil to 14 feet deep in area bounded an historic three-story building, a city vehicular right of way, a four-story building, and a pedestrian alley. To support the adjacent buildings and pavement, a series of cast-in-place concrete piles with cross bracing were installed on the perimeter of the excavation area. Oversaw preparation of structural drawings, obtained the necessary building permits, prepared contractor bid specifications, oversaw work of the excavation contractor, and arranged for disposal of excavated soil. Confirmation samples indicated that all contaminated soil was removed.

Harris Quarry, Willits, CA

Designed retention structure to accommodate storm water from a 20 year, 1 hour precipitation event for a hard rock quarry in Willits. Made use of the Intensity, Duration, and Frequency Curve Programs provided by the Office of Project Planning and Design, Department of Transportation, State of California. Represented quarry owners before the Sonoma County Planning Commission. Quarry permit to operate was approved.



Donald G. McEdwards - Resume

**Exhibit 1**

GROUNDWATER CONTAMINATION STUDY - Livermore, CA

Assisted in the interpretation of hydrologic and chemical data from over 130 wells completed to depths ranging from 70 to 140 feet. Directed and analyzed well tests for newly installed wells. Directed abandonment of water supply wells that were cross-contaminating several aquifers.

SURFACE WATER RUNOFF AND DEBRIS FLOW CHARACTERIZATION - San Rafael, CA

Evaluated probable frequency and volumes of debris flows and developed 100 year, 24 hour storm runoff for sizing debris catch basins for a residential development. Compared Soil Conservation Service Method with Rational Method and compared rain fall intensity data developed by USGS with rain fall intensity data used by CALTRANS.

PCB CONTAMINATION/GROUND WATER STUDY - Cloverdale, CA

Defined site stratigraphy and hydrogeology by installing borings and monitoring wells, conducting and interpreting pump tests and slug tests, and measuring groundwater levels. Characterized groundwater flow and contaminant migration. Prepared remedial action plan for submission to the California Regional Water Quality Control Board.

REMEDIATION ACTION DESIGN - Sonoma County, CA

Remedial Action Design, Sonoma County California. Developed flow model to calculate extraction well sweep areas for choosing optimum well placement and pumping rates for contaminated water removal at a wood treatment plant.

NUMERICAL SIMULATION STUDY - Santa Clara County, CA

Evaluated alternative groundwater extraction schemes and wrote final report for removal of chemical-laden ground water at a large industrial site in San Jose. The study involved simulating groundwater flow and chemical transport within a large groundwater basin and providing quantitative comparisons of alternative extraction schemes.

GROUNDWATER PROTECTION PLAN - Santa Clara County, CA

Defined stratigraphy and hydrogeology of site by installing monitoring wells, geophysically logging test borings and wells, conducting aquifer tests, and interpreting aquifer tests.

REMEDIATION ACTION MODELING/EXTRACTION WELL DESIGN - Point Molate, CA

Developed steady state model of groundwater flow around various structures for use in designing an extraction well system for petroleum-contaminated ground water at a U.S. Navy Fuel Depot.

AQUIFER CHARACTERIZATION - Bethel, AK

Managed field demonstration and wrote aquifer characterization plan for aquifer thermal energy storage demonstration project. Designed wells and well field, pressure and temperature instrumentation, well logging and well testing program, and laboratory testing program.

WATER RESOURCES STUDY, WATER RESOURCES DEPARTMENT - Diego Garcia

Analyzed precipitation data, soil hydraulic conductivity, and depth to fresh water-sea water mixing zone to recommend safe yield flow rate for wells supplying water for fire protection.

GROUND WATER RESOURCES DEVELOPMENT - Bridgeport, CA

Sited, logged, and pump-tested exploratory water well for U.S. Marine Corps Training Camp.

GEOTHERMAL WELL PRODUCTION AND INTERFERENCE TESTING - Imperial Valley, CA

Analyzed observation well pressure changes caused by several production wells flowing at various rates. Determined global values of aquifer transmissivity and storativity.

Donald G. McEdwards - Resume

**Exhibit 1**

CITY WATER WELL SITING - Rio Vista, CA

Conducted well interference tests on three city wells to locate a new city water well.

IT BENICIA LANDFILL E.I.R. - Benicia, CA

Developed analytical precipitation-groundwater discharge balance model to estimate the effective permeability of the native soils.

GROUNDWATER CONTROL SYSTEM - Bakersfield, CA

Designed groundwater control system drainage blanket for drilling waste landfill.

GEOLOGICAL HAZARDS STUDY - Contra Costa County, CA

Conducted geological hazards study and capacity analysis for proposal sanitary landfill.

WELL TEST PROGRAM - Russian River, CA

Designed well test program to determine effective yield of proposed water supply wells sited in the channel.

EAST MESA GEOTHERMAL FIELD - Imperial Valley, CA

Conducted and analyzed several well production and interference tests at the field.

STRIPA MINE - Stora, Sweden

In support of nuclear storage studies, designed and assembled uphole instrumentation system to measure flow rate and pressures of double packer borehole injection tests in fractured granite.

Miscellaneous Projects

Wrote multiple-well variable-flow-rate well test analysis programs ANALYZE and PANAL. ANALYZE treats completely penetrating wells in isotropic confined aquifer; PANAL treats partially completed or limited-entry wells in anisotropic confined aquifer.

Conducted numerous fuel release site investigations and remediations involving drilling test borings, and installing, developing, and sampling monitoring wells.

Analyzed hydrologic well test data and wrote User's Guides to two computer programs: A well test analysis program (ANALYZE) and a two-phase geothermal reservoir simulation program (SHAFT 79).

Reviewed International Atomic Energy Commission draft document SG-S7 entitled "Nuclear Power Plant Siting - Hydrogeological Aspects" and provided extensive corrections and comments.

**PUBLICATIONS**

- 1976 Results of interference tests from two geothermal reservoirs. LBL-4484, SPE-6052, August 1976 (with T. N. Narasimhan and P. A. Witherspoon).
- 1976 Analysis of well tests with variable discharge. Presented at Geothermal Reservoir Engineering Workshop, Stanford University, Stanford, California, December 1976 (with C. F. Tsang).
- 1977 Results of reservoir evaluation tests, 1976 East Mesa Geothermal Field, California. LBL-6364, July 1977 (with T. N. Narasimhan).
- 1977 Variable flow well test analysis by a computer assisted matching procedure. LBL-5994, SPE-6547, April 1977 (with C. F. Tsang, T. N. Narasimhan, and P. A. Witherspoon).

Donald G. McEdwards - Resume

**Exhibit 1**

- 1977 Variable-rate multiple-well testing analysis. LBL-7027, Proc., Invitational Well Test Symposium, October 19-21, 1977, Berkeley, California (with C. F. Tsang).
- 1977 Recent results from tests on the Republic geothermal wells, East Mesa, California. LBL-7017, December 1977 (with T. N. Narasimhan, R. C. Schroeder, C. G. Goranson, D. A. Campbell, and J. H. Barkman).
- 1978 Results of two injection tests at the East Mesa KGRA. Proc., Second Invitational Well Test Symposium, 1978, Berkeley, California (with S. Benson).
- 1978 Geothermal resource and reservoir investigations of U.S. Bureau of Reclamation leaseholds at East Mesa, Imperial Valley, California. LBL-7094, October 1978 (Section 3 and Appendixes A, B, and C, with S. Benson).
- 1979 Multiwell variable rate well test analysis. Ph.D. dissertation, University of California, Berkeley, California.
- 1979 Multiwell variable rate well test analysis. SPE-8293, presented at the 54th Annual Conference in Las Vegas, Nevada, September 23-26, 1979.
- 1979 Multiple well variable rate well test analysis of data from the Auburn Thermal Energy Storage Program. LBL-10194, November 1979.
- 1981 User's Manual for ANALYZE - A variable-rate multiple-well least squares matching routine for well test analysis. LBL-10907, July 1981 (with S. Benson).
- 1984 Quantitative Comparison of Simulated Aquifer Restoration Schemes. Proc., National Water Well Association Conference on Practical Applications of Ground Water Models, August 15-17, 1984, Columbus, Ohio.
- 1988-1991 Computer programs CAPTURE, MATCH2, and MATCH3.
- CAPTURE - Plots flow paths and travel times of groundwater particles to display the areal extent of groundwater capture at specified times.
- MATCH2 - Performs a least-squares fit of observed and calculated water level elevations to find values of aquifer permeability, thickness, and storage, and the elevation, gradient, and flow direction of the prepumping piezometric surface.
- MATCH3 - Performs a least-squares fit of observed and calculated chemical concentrations to find values of aquifer dispersivities, chemical source concentration and dimensions, and groundwater velocity.



EXHIBIT 2 - ASSESSORS PARCEL MAPS

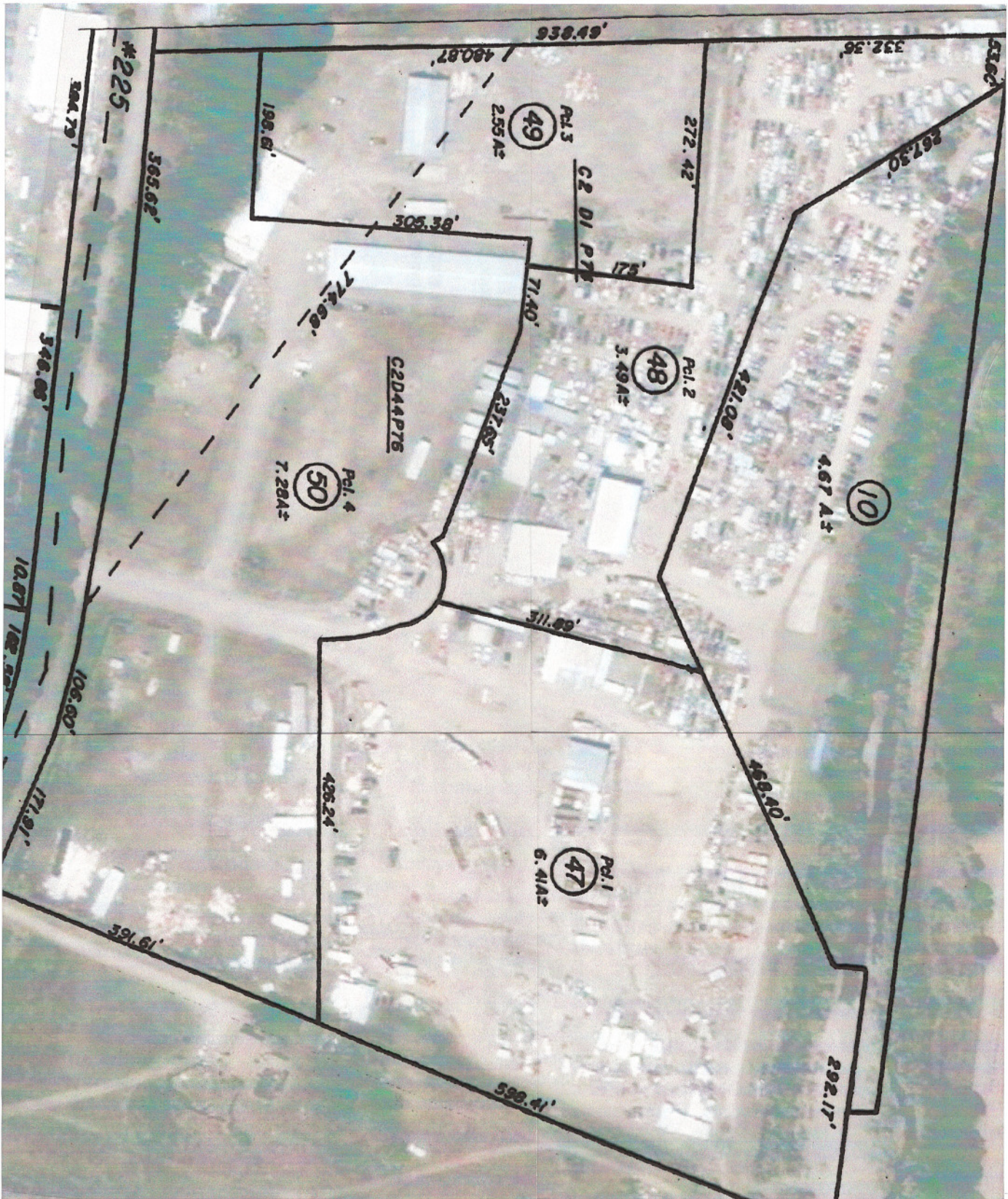






EXHIBIT 3 - SURFACE RUNOFF FLOW PATTERN



EXHIBIT 4 - SITE PHOTOGRAPHS IDENTIFIED BY EXHIBIT NUMBER





EXHIBIT 5





EXHIBIT 6





EXHIBIT 7





EXHIBIT 8



EXHIBIT 9





EXHIBIT 10





EXHIBIT 11





EXHIBIT 12





EXHIBIT 15





EXHIBIT 14





EXHIBIT 15





EXHIBIT 16





EXHIBIT 17





EXHIBIT 18





EXHIBIT 19





EXHIBIT 4  
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EXHIBIT 20

